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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,819	10/30/2003	Tamon Tanaka	0965-0421P	7173

2292 7590 07/22/2004

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EXAMINER


KWON, JOHN

ART UNIT	PAPER NUMBER
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3747

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/695,819	Applicant(s) TANAKA ET AL. 	
	Examiner John T. Kwon	Art Unit 3747	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4 and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Ichikawa (US 6 526 940).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa (US 6 526 940) in view of Okumura (US 4 669 434). Ichikawa discloses a direct injection diesel engine with the first intake port (2) for each cylinder extends from the corresponding first intake opening in a direction generally perpendicular to the row direction; and the second intake port (14) for each cylinder is directed to a flow direction of a swirl generated in the corresponding combustion chamber. However, Ichikawa does not show the use of a cylinder head bolt between a first and the second sides. Okumura shows that the provision of a head bolt located between a

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first and a second side of the cylinder ports is old and well in the art. Since the prior art references art from the same field of endeavor, the purpose disclosed by Okumura would have been recognized in the pertinent art of Ichikawa. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the device of Ichikawa with the head bolt as taught by Okumura.

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichikawa (US 6 526 940) in view of Yuzuriha (US 5 676 107). Ichikawa discloses a direct injection diesel engine with the first intake port (2) for each cylinder extends from the corresponding first intake opening in a direction generally perpendicular to the row direction; and the second intake port (14) for each cylinder is directed to a flow direction of a swirl generated in the corresponding combustion chamber. However, Ichikawa does not show the use of a glow plug parallel to the first intake port. Yuzuriha shows that the provision of a glow plug parallel to the first intake port is old and well known in the art. Since the prior art references art from the same field of endeavor, the purpose disclosed by Yuzuriha would have been recognized in the pertinent art of Ichikawa. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the device of Ichikawa with the glow plug as taught by Yuzuriha.

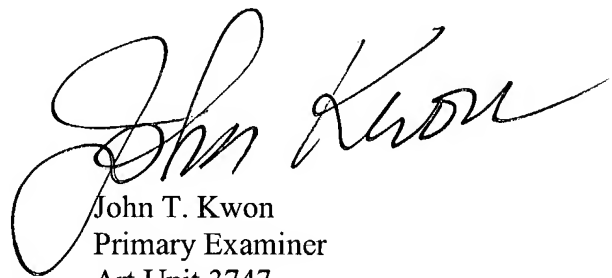
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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John T. Kwon whose telephone number is (703) 308-1046. The examiner can normally be reached on M- TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Yuen can be reached on (703) 308-1946. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7766.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.



John T. Kwon
Primary Examiner
Art Unit 3747

January 20, 2004